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**Governing Council
of the United Nations
Environment Programme**

**Twelfth special session of the Governing Council/
Global Ministerial Environment Forum**
Nairobi, 20–22 February 2012

**Draft proceedings of the Governing Council/Global Ministerial
Environment Forum at its twelfth special session**

Introduction

1. The twelfth special session of the United Nations Environment Programme (UNEP) Governing Council/Global Ministerial Environment Forum was held in Nairobi from 20 to 22 February 2012. It was convened in pursuance of section I of Governing Council decision 26/17 of 24 February 2011 and paragraph 5 of General Assembly resolution 40/243 of 18 December 1985, on the pattern of conferences, and in accordance with rules 5 and 6 of the rules of procedure of the Governing Council.

I. Opening of the session

2. The twelfth special session was opened at 10.35 a.m. on Monday, 20 February 2012, by a representative of the secretariat who served as master of ceremonies.

3. The session began with the performance by group of children from a number of Kenyan schools of “I have a dream”, a song written by the Swedish group Abba in 1972, the year in which UNEP was founded.

4. Opening statements were made by Ms. Graciela Muslera, Minister of Housing, Land Planning and Environment of Uruguay and Acting President of the UNEP Governing Council/Global Ministerial Environment Forum; Ms. Amina Mohamed, Deputy Executive Director of UNEP, on behalf of Mr. Ban Ki-moon, Secretary-General of the United Nations; Mr. Joan Clos, Executive Director of the United Nations Human Settlements Programme (UN-Habitat); Ms. Sahle-Work Zewde, Director-General of the United Nations Office at Nairobi; Mr. Henri Djombo, Minister of Sustainable Development, Forestry and the Environment of the Congo, on behalf of Mr. Denis Sassou-N’Guesso, President of the Congo, who was unable to attend the session; Mr. Achim Steiner, Executive Director of UNEP; and Mr. Mwai Kibaki, President of Kenya.

5. Ms. Muslera, in her statement, expressed appreciation to the Executive Director and the secretariat for their efforts and determination to speak for the environment around the world at a decision-making moment in history and to demonstrate to Governments and all sectors of society that it was possible to change environmental degradation and build a more sustainable future. On the occasion of the fortieth anniversary of UNEP, she also acknowledged the role of the former executive directors of UNEP who were present at the event and whose ideas and vision had made UNEP what it was.

6. Turning to the challenges facing the world’s economies and the alarming rates of environmental degradation, she said that new concepts based on the sustainability of natural resources could strengthen economic systems, creating new jobs and opportunities for growth. Emphasizing the urgency of the situation, she said that the world was looking to UNEP for guidance and direction and

that it was vital to seize the forthcoming United Nations Conference on Sustainable Development in Rio de Janeiro, Brazil, as an opportunity to step up efforts and find new and innovative ways of responding to the growing challenges. Important debates had been taking place on the two core themes of the Conference, the green economy and the institutional framework for sustainable development, and she applauded the leadership of UNEP in those areas. She highlighted the challenges posed to the environment by chemicals and wastes and the efforts made by her country to combat the associated problems, saying that such challenges should not be overlooked in the debates leading up to the Conference. As the current session of the Council/Forum was the last opportunity for environment ministers to influence the Conference and its outcome, she urged all participants to speak with one voice on the need for a stronger institutional framework for sustainable development and for environmental governance within that context.

7. In his statement, the Secretary-General highlighted the importance of advancing the sustainable development agenda at the United Nations Conference on Sustainable Development and the significance of the current juncture of the fortieth anniversary of UNEP and the forthcoming Conference. He had made sustainable development a priority of his tenure because it was essential to the well-being of the world's population, and the Conference afforded an opportunity to set the planet on a sustainable path. While emphasizing the challenges ahead, he called upon environment ministers to carry a clear, practical and transformational message to the Conference based on science and the needs of future generations and to put forward bold solutions to achieve the future to which all aspired.

8. Mr. Clos, in his statement, recalled the decisions to locate both UNEP and UN-Habitat in Nairobi in recognition of the fact that it was in Africa where many environmental challenges lay and that the mandates of the two organizations were closely intertwined. Against the backdrop of rapid urban expansion on the continent, collaboration between the two organizations had never been greater in areas such as low-carbon building practices, urban mobility and public transportation. He also cited examples of cooperation over a number of years on climate change and joint work on the green economy, with analysis carried out by the two organizations being used at the national and local levels in decision-making on the environment and urban planning and gaining increasing international recognition. The environmental degradation resulting from growing slums and congestion could be addressed only by making cities work better on the basis of the three pillars of sustainable development. He congratulated UNEP on its fortieth anniversary, saying that it had provided strong global leadership in safeguarding the environment.

9. In her statement, Ms. Zewde thanked the President and people of Kenya for hosting the United Nations Office at Nairobi and the two headquarters of UNEP and UN-Habitat so generously, as manifested in the magnificent site of the offices, the security provided and the critical role played by the representative of Kenya at the General Assembly in securing adequate resources for the Office. Recalling the establishment of the Office and its development, she expressed her determination to fulfil her mandate as the first incumbent in the newly created post of Director-General. Given the global financial crisis, the role of the Office as custodian and manager of the resources of UNEP and UN-Habitat was more justified than ever, but there were legitimate expectations on the part of member States that efficiency and the elimination of duplication should be achieved. Following the agenda set by the Secretary-General, she pledged to streamline the Office's work and make better use of services, according priority to areas identified in reviews and audits as requiring immediate reform or strengthening. The Office would strive to continue to serve as a common umbrella for the activities of the United Nations in Kenya, to strengthen its liaison with the Government of Kenya and to reach out to the public regarding the United Nations in Kenya and on the continent.

10. In his statement, Mr. Sassou N'Gusso paid tribute to two outstanding Kenyans, Mr. Jomo Kenyatta and Ms. Wangari Maathai, for their vision and leadership and their actions in support of UNEP and the environment. He also acknowledged the admirable progress made by UNEP since its formation in 1972, notably in supporting member States in capacity-building and preparing frameworks for environmental management, planning and legislation, and in contributing to the debate on many new and emerging issues.

11. Turning to the forthcoming United Nations Conference on Sustainable Development, he noted that at the eighteenth ordinary session of Heads of State and Government of the African Union, held in Addis Ababa in January 2012, African States had adopted a common position that they would take to the Conference. Africa supported the green economy as a path for development affording opportunities for economic diversification, the creation of decent jobs and combating poverty. Africa also recognized the need to strengthen international environmental governance and promote the balanced integration of the three pillars of sustainable development. Favourable conditions and a healthy environment for business were needed for the emergence of green growth, and there was concern that developed countries would use the current financial and economic crises as a pretext for

renewing on commitments made to developing countries. Africa did not want to see the forthcoming Conference end in unrealized promises, and the continent remained open to constructive dialogue with other regions and organizations to achieve consensus and responsible resolutions.

12. The Executive Director, in his statement, welcomed the former executive directors present on the occasion of the fortieth anniversary of UNEP. The current session afforded an opportunity both to take stock of the past 40 years and to prepare for the Conference on Sustainable Development and ensure meaningful and decisive outcomes. UNEP had neither the time nor the resources for grand celebrations of its anniversary but had marked the occasion with exhibitions of photographs and a guide to the trees on the compound presented over the years by world leaders and personalities. Looking back over the past 40 years of UNEP and 20 years of sustainable development, there were many accomplishments to be proud of, but at the same time much cause for concern with the current state of the world. He thanked the Government of Kenya for hosting UNEP for four decades, for supporting the organization through difficult periods and for inspiring others by supporting the transition to a green economy with some of the boldest policies in Africa.

13. In his statement, Mr. Kibaki heralded the current session as an important milestone both as the anniversary of UNEP and as the last global gathering of environment ministers before the United Nations Conference on Sustainable Development, affording a unique opportunity to build consensus and determine the outcome of the Conference. Cautioning that environmental degradation was continuing to limit development options in many countries and was even threatening to reverse gains made in poverty eradication and sustainable development, he called for the intensification of efforts to achieve environmental conservation. Kenya had embraced green growth as a national priority to guide future development and achieve climate resilience, encourage accelerated economic development, address poverty eradication and improve social welfare. Green development, however, called for strong institutions and reforms in international environmental governance. For that reason the African Union had adopted a common position in support of transforming UNEP into a specialized agency based in Nairobi, and he called upon the Council/Forum to support the African position. Furthermore, the Council/Forum should seek the elevation of the Global Ministerial Environment Forum to a global authoritative voice on environmental sustainability and a link between global environmental policymaking and global environmental financing.

II. Organization of work

A. Adoption of the agenda

14. At its 1st plenary meeting, on the morning of Monday, 20 February 2012, the Council/Forum adopted the following agenda for the session, on the basis of the provisional agenda (UNEP/GCSS.XII/1):

1. Opening of the session.
2. Organization of work:
 - (a) Adoption of the agenda;
 - (b) Election of officers;
 - (c) Organization of work.
3. Credentials of representatives.
4. Emerging policy issues: environment and development.
5. Other matters.
6. Adoption of the report.
7. Closure of the session.

B. Election of officers

15. As a result of the election of 29 member States of the Governing Council by the General Assembly at its sixty-sixth session, in November 2011, Hungary, the Vice-President of the Governing Council elected at its twenty-sixth session and nominated by the Eastern European States as their representative, had ceased to be a member of the Governing Council as from 1 January 2012. Consequently, the seat of the Eastern European States on the Bureau had fallen vacant on 1 January 2012. Accordingly, at the opening meeting of the special session, on 20 February 2012, the Council/Forum elected Mr. László Borbély (Romania) Vice-President pursuant to rules 18 and 19 of its rules of procedure.

16. In addition, owing to the departures from governmental service of Ms. Rosa Aguilar Rivero (Spain), the member of the Bureau from the Western European and other States, and Ms. Liana Bratasida (Indonesia), the member of the Bureau from the Asian and Pacific States, the Western European and other States informed the secretariat that they would nominate Mr. Federico Ramos de Armas (Spain) as President, and the Asian and Pacific States informed the secretariat that they would nominate Mr. Dana A. Kartakusuma (Indonesia) as Vice-President.

17. All three officers were elected by acclamation to serve until the twenty-seventh regular session of the Council/Forum, to be held in 2013.

18. In his acceptance speech, the President said that he was honoured to be entrusted with such an important responsibility in the lead-up to the United Nations Conference on Sustainable Development, which would shape the debate on environment and sustainable development for decades to come. The preparatory process under way afforded a unique opportunity to influence discussions at the Conference and its outcomes, and he urged representatives to use the current session to deepen efforts in that regard. He underscored his commitment to ensuring that policymakers, civil society, the scientific community and the wider global community were kept abreast of the environmental challenges facing the world. Much was known about the magnitude of the multifaceted challenges facing the international community, and it was generally recognized that natural resources were finite and that economic models were required that would boost economic growth and create jobs while protecting the environment. Providing the Earth's people with the means for a dignified life without compromising the health of the environment was within reach; 2012 could and should be a landmark year in defining the global response to the challenge of sustainability.

19. On the occasion of the fortieth anniversary of UNEP, he expressed gratitude to its current and former executive directors, paying tribute to their leadership, commitment and dedication. He expressed appreciation to civil society for its role in helping UNEP to become the United Nations voice for the environment and disseminating its messages far and wide. Civil society participation was crucial to attaining sustainable development for all, as were initiatives fostering and promoting cooperation between countries. The numerous important achievements of UNEP notwithstanding, many challenges remained, as evidenced by the fifth Global Environment Outlook assessment report. In closing, he commended the Executive Director on his steadfast advancement of the UNEP agenda and tireless efforts to assist member States in identifying viable options for an international framework for sustainable development.

C. Organization of work

20. At its 1st plenary meeting, the Council/Forum considered and approved the organization of work of the session in the light of the recommendations contained in the annotated agenda (UNEP/GCSS.XII/1/Add.1/Rev.1).

21. Pursuant to one of those recommendations, it was decided that the Council/Forum would hold ministerial consultations from the afternoon of Monday, 20 February until the morning of Wednesday, 22 February, under agenda item 4 (emerging policy issues: environment and development). The focus of those consultations would be on "the environmental agenda in the changing world: from Stockholm (1972) to Rio (2012)", with three subthemes: "environmental challenges and global responses in 2012", "green economy in the context of sustainable development and poverty eradication" and "institutional framework for sustainable development. The consultations would conclude with discussions on the topic "Rio+20 and beyond: responding to challenges". It was agreed that the ministerial consultations would comprise a blend of plenary meetings, panel discussions and ministerial round-table discussions.

22. The Council/Forum also decided to establish a committee of the whole, to be chaired by Mr. László Borbély (Romania), which would consider agenda items 4 and 5; and a drafting group, to be chaired by Ms. Kerstin Stendahl (Finland). The Council/Forum also decided to establish a friends of the President group.

23. It was further agreed that the Council/Forum would consider agenda items 3 (credentials of representatives), 6 (adoption of the report) and 7 (closure of the session) during the plenary meeting on the afternoon of Wednesday, 22 February.

24. The Council/Forum agreed that the session would be conducted in paperless form, with documents made available electronically.

D. Attendance

25. The following States members of the Governing Council were represented at the session: [*To be completed*].

26. The following States not members of the Governing Council but Members of the United Nations or members of a specialized agency or of the International Atomic Energy Agency were represented by observers: [*To be completed*].

27. The following United Nations bodies, secretariat units and convention secretariats were represented: [*To be completed*].

28. The following specialized agencies were represented: [*To be completed*].

29. The following intergovernmental organizations were represented: [*To be completed*].

30. In addition, a number of non-governmental and civil society organizations were represented by observers.

31. A full list of participants was made available as document UNEP/GCSS.XII/INF/11.

E. Policy statement by the Executive Director

32. In his policy statement, the Executive Director stressed that in its 40-year history of tackling environmental sustainability in the context of sustainable development, UNEP had moved from simply responding to environmental crises to setting the agenda and thus providing a foundation for sustainable development and its social, economic and environmental pillars. The forthcoming United Nations Conference on Sustainable Development, whose main objective was the reaffirmation of global commitment to sustainable development, would take place against a backdrop of considerable financial uncertainty and disruption whose reverberations were being felt around the world and would make confronting sustainable development in 2012 particularly challenging. UNEP had long been engaged in exploring sustainable development, but the fundamental challenges of equity and sustainability continued to threaten the future of humankind. Considerable success in the creation of environmental institutions, legislation and processes and the development of creative and innovative solutions to environmental challenges notwithstanding, future generations faced reduced prosperity if solutions were not found.

33. He drew attention to the proliferation of multilateral environmental agreements, which bore testimony to a step-by-step approach to environmental issues. UNEP was deeply engaged in efforts to better that approach by engaging the wider United Nations system; the many successes notwithstanding, however, there remained a need to achieve genuine mainstreaming of the environment in social, economic and political decision-making together with tangible action and transformation rather than rhetoric. He underscored the importance to that end of partnership with civil society and major groups.

34. Despite the uncertain financial situation, 2011 had seen the medium-term strategy being fully implemented through the programme of work and a priority focus on results-based management. Of 21 expected accomplishments, 15 had been fully achieved, 5 had been partially achieved and 1 had been insufficiently achieved. For the first time, UNEP was able to provide far greater clarity in performance reporting owing to its wide-ranging internal reforms and reorganization. He drew attention to various successful activities under the six UNEP subprogrammes, including publications such as the *Emissions Gap Report* and *Towards a Green Economy: Pathways to Sustainable Development and Poverty Eradication*, which had been widely used as reference materials in international forums and triggered significant debate around the world. The fifth Global Environment Outlook assessment report would be launched in June, providing an up-to-date assessment of the state of the world's environment. In testimony to its relevance, the green economy report had proved to be the most downloaded report in UNEP history, with over 2 million downloads from the UNEP website to date. In the context of the disasters and conflicts subprogramme, he drew particular attention to a report on an environmental assessment by UNEP of Ogoniland, Nigeria, which presented an in-depth history of a tragic conflict that had remained unresolved for more than three decades. He urged member States to keep abreast of that dramatic situation.

35. Turning to the organization's financial situation, he said that managing UNEP in times of uncertainty had proved a tremendous challenge, given that some 96 per cent of its funding depended on voluntary contributions. The precautionary approach adopted in response to the financial crisis had proved effective. While there had been a shortfall of some 9 per cent in income from the Environment Fund, an increase in extrabudgetary contributions had exceeded expectations. While that increase represented a positive reflection of member States' confidence in the work of UNEP, it was not optimal, as most voluntary contributions were earmarked for specific activities, projects or regions. UNEP had taken the financial crisis extremely seriously; among other measures to lower costs, the reduction of 58 staff positions, although pragmatic, had hampered the implementation of the programme of work.

36. It was to be hoped that member States would derive a sense of accomplishment from UNEP performance on the environmental dimension of sustainable development; in 2012 the organization was evolving rapidly, clearly delivering results under its six subprogrammes and placing greater emphasis on the science-policy interface. Calling for transformative initiatives to tackle unprecedented environmental changes, some of which were on the verge of irreversibility, he urged member States to respond in Rio de Janeiro to the expectations of the global community or risk its loss of faith in multilateralism and in the United Nations as a platform for delivering results.

37. Following the Executive Director's policy statement, the Council/Forum heard statements from the representatives of Switzerland; Denmark, on behalf of the European Union; Ecuador; India; Brazil and South Africa, on behalf of the Group of 77 and China.

38. The representative of Switzerland congratulated the President on his election and UNEP on its fortieth anniversary. He introduced a conference room paper containing a draft declaration on UNEP at 40, which, he said, represented a clear message from ministers of environment in the lead-up to the United Nations Conference on Sustainable Development, reaffirming their commitment to sustainable development and its environmental dimension and raising the profile of UNEP in its fortieth anniversary year.

39. The representative of Denmark, speaking on behalf of the European Union, welcomed Ms. Amina Mohamed to her post as Deputy Executive Director of UNEP and expressed thanks to the Executive Director for his invaluable leadership and personal engagement in ensuring that emerging environmental challenges were brought to the attention of Governments and the international community. There had been significant achievements over the previous 40 years; nevertheless, the state of the environment had not improved. She noted that more ambitious reforms were needed, and voiced support for proposals to upgrade UNEP to a specialized agency..

40. The representative of Ecuador called for the preparatory process for the United Nations Conference on Sustainable Development to incorporate input from regional initiatives, citing key issues for the Latin American and Caribbean region as social inclusion, intergenerational solidarity and support for communities affected by natural disasters as contained in the Quito Declaration.

41. The representative of India expressed the hope that the current session would contribute to a positive, ambitious, fair and equitable outcome of the United Nations Conference on Sustainable Development, while cautioning against prejudging that outcome. The representative of Brazil, endorsing those comments, expressed her Government's commitment to the success of the Conference.

42. The representative of South Africa, speaking on behalf of the Group of 77 and China, expressed appreciation for UNEP efforts at a pivotal time for the international community in the lead-up to the crucially important United Nations Conference on Sustainable Development.

F. Introduction of the draft decisions prepared by the Committee of Permanent Representatives

43. Mr. Geert Aagaard Andersen, Ambassador and Permanent Representative of Denmark to UNEP and Chair of the Committee of Permanent Representatives, presented to the Council/Forum for its consideration the draft decisions prepared by the Committee, as contained in document UNEP/GCSS.XII/L.1, highlighting the collaborative process by which the draft decisions had been prepared and the challenges that it had entailed.

G. Ministerial consultations

44. At its 2nd plenary meeting, on the afternoon of 20 February, the Council/Forum began its consideration of agenda item 4 (emerging policy issues: environment and development), in the form of ministerial consultations, focusing on the theme "the environmental agenda in the changing world:

from Stockholm (1972) to Rio (2012)". Under this theme, two specific themes related to the United Nations Conference on Sustainable Development were addressed: "green economy in the context of sustainable development and poverty eradication" and the "institutional framework for sustainable development and emerging challenges".

45. The ministerial consultations began at the 2nd plenary meeting, when ministers engaged in a high-level symposium on environmental change and global response in 2012. The symposium was divided into two parts: the first was a panel discussion evaluating the current state of the world's environment and emerging challenges and assessing programmatic responses that addressed the necessary governance and institutional framework reforms needed. The second part was a dialogue with the former executive directors of UNEP under the theme "1972–2012: a review of the evolution of global environmental policy and institutional architecture".

46. *[To be completed]*

H. Report of the Committee of the Whole

47. The Committee of the Whole held [] meetings, from 20 to 22 February 2012, to consider the agenda items assigned to it.

48. *[To be completed]*

III. Credentials of representatives

49. *[To be completed]*

IV. Emerging policy issues: environment and development

50. *[To be completed]*

V. Other matters

51. *[To be completed]*

VI. Adoption of the report

52. *[To be completed]*

VII. Closure of the session

53. *[To be completed]*
